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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,873	03/18/2004	Arif Maskatia	ACR0102-US	5454

7590
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12/22/2006

EXAMINER

FANTU, YALKEW

ART UNIT	PAPER NUMBER
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2838

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/802,873

Applicant(s)

MASKATIA ET AL.

Examiner

Yalkew Fantu

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 6,483,274).

Regarding claims 1 and 4, Lee discloses a power management method (Col. 2, line 13) for an electronic apparatus (col. 2, lines 13-4) powered by a battery unit (Fig. 4, 210), the electronic apparatus being installed with an operating system (Fig. 4, 236) that supports a power management specification and that is operable so as to obtain an actual remaining capacity (Col. 3, lines 36-37) of the battery unit (Fig. 4, 210) and so as to display the actual remaining capacity of the battery unit on a display device (Fig. 4, 240), said method comprising the steps of: inputting a user-defined remaining capacity (Col. 7, lines 34-39 for the battery unit into the electronic apparatus (Fig. 4, 230); and reporting the user-defined remaining capacity to the operating system (Fig. 4, 236) such that when the operating system compares (Fig. 5, S57) the user-defined remaining capacity of the battery unit with a reference value (Col. 2, lines 28-29) according to the power management specification and determines the user-defined remaining capacity (Col. 3, lines 36-37) to be lower than the reference value, the operating system enables

Art Unit: 2838

operation of the electronic apparatus in a low power consumption mode (Col. 2, lines 25-35).

With respect to claims 2 and 5, Lee discloses advanced configuration and power Interface (ACPI) (Col. 2, line 35).

With respect to claims 3 and 6, Lee discloses the user-defined remaining capacity is inputted through a user interface (Fig. 4, 238).

Claims 7 and 8 are rejected under U.S.C. 102 (a) as being anticipated by Lee as set forth in claims 1-6 above.

Response to Arguments

Applicant's arguments filed on 09/01/2006 have been considered but are ineffective to overcome the Lee reference. (See the rejection above).

With respect to claims 1- 8, applicant argues, " ... Lee reference does not disclose the feature of permitting the user defined remaining capacity, by inputting ... user defined threshold value into the electronic apparatus to operate in low power consumption mode." Lee, however, discloses low power consumption, by permitting a user defined remaining capacity (col. 2, lines 23-30). The applicant further argues that "... Lee reference merely permits... only to display the battery residual capacity information; ... the user has no other choices, but to wait until the battery is discharged..." on the other hand, Lee reference discloses that the power management system detects a state of low battery and displays a warning (col. 2, lines 23-26) for a user, and then if the battery continues, the battery discharge stopped (col. 2, lines 43-44).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yalkew Fantu whose telephone number is 571-272-8928. The examiner can normally be reached on M - F: 7- 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl D. Easthom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2838

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



KARL EASTHOM
SUPERVISORY PATENT EXAMINER